

COMMITTEE SUBSTITUTE

BOARD BILL # 374

INTRODUCED BY ALDERMAN KENNETH ORTMANN

An ordinance prohibiting public urination and defecation, containing exceptions, a penalty clause and an emergency clause.

WHEREAS, the City may, pursuant to its police powers, pass regulations to protect the health and safety of its residents; and

WHEREAS, the Board of Aldermen desires to have and maintain a clean and safe community; and

WHEREAS, the Board of Aldermen finds that it is in public interest to prohibit public urination and defecation unless a person, due to either a young age or a verified medical condition, lacks full control of the bodily functions that control urination or defecation; and

WHEREAS, while state law and the City's Revised Code prohibit indecent exposure, such exposure must be done in a lewd manner and the act of public urination or defecation does not uniformly constitute indecent exposure;

BE IT ORDAINED BY THE CITY OF ST. LOUIS AS FOLLOWS:

SECTION ONE. Public Urination and Defecation

(a) It is unlawful for any person to urinate or defecate in public, other than when using a toilet, urinal or commode located in a restroom, bathroom or other structure enclosed from public view.

(b) The provisions of this ordinance shall not apply to the following individuals who may not be able to adequately control the bodily functions that control urination or defecation:

1. Children five (5) years of age or younger;
2. Persons of any age who violate this ordinance due to a verified medical condition.

SECTION TWO. Any person who violates the provisions of this ordinance who does not

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Sponsor: Alderman Ortman

1 meet an exception listed in Section One shall be subject to a fine of not less than One Hundred
2 Dollars (\$100.00) nor more than Five Hundred Dollars (\$500) or a term of imprisonment of not more
3 than Ninety Days (90) or both a fine and term of imprisonment.

4 **SECTION THREE** Emergency clause.

5 This being an ordinance for the preservation of public peace, health, and safety, it is hereby
6 declared to be an emergency measure within the meaning of Sections 19 and 20 of Article IV of the
7 Charter of the City of St. Louis and therefore shall become effective immediately upon its passage
8 and approval by the mayor.